

**Borough of Rocky Hill
Borough Council
Minutes of the Regular Meeting
August 20, 2012**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:32 PM followed by the salute to the Flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Zimmerman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 11, 2012. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Tom Bremner-present, Mr. Jeff Donahue-absent, Ms. Julia Hasser-absent, Mr. Mark Pausch-present, Mr. Robert Steen-absent, Mr. Robert McKelvey-present.

Also present: Mayor Ed Zimmerman, Clerk Rebecca Newman, Borough Attorney Albert Cruz, CFO Joe Monzo, Borough Engineer Bill Tanner.

MAYOR'S COMMENTS

The Mayor commented that the Lieutenant Governor and State Secretary of Agriculture met with local entrepreneurs in Rocky Hill. The Mayor and the mayor of Manville met with Representative Holt and Senator Lautenberg, on separate occasions, to discuss river flooding. The Mayor announced that Rocky Hill resident Camille Tropp won a gold and two silver medals at the US Rowing Championship and Rocky Hill native Rob Zimmerman helped successfully land the Mars Rover Curiosity. Finally, the Mayor reminded Council that Borough records should be secure and permission from the Clerk is needed to access records.

APPROVAL OF MINUTES

Regular Meeting Minutes – July 16, 2012. Pausch moved to approve the minutes as presented. Bremner seconded the motion. Motion carried on roll call vote- all ayes.

For: Bremner, Pausch,

Against: None

Abstain: McKelvey

Executive Session Minutes – July 16, 2012. Pausch moved to approve the minutes as presented.

McKelvey seconded the motion. Motion carried on roll call vote- all ayes.

For: Bremner, McKelvey, Pausch

Against: None

Abstain: None

PUBLIC COMMENT

Philip Hayden, 38 Washington St., asked Council to recognize that an error was made in his property tax bill and pass a resolution lowering his taxes to the correct assessed value.

STATE POLICE REPORT

Council Member Pausch summarized the state police report for the month of July 2012, as received from Lt. Steve Grillon of the NJSP (copy on file in the office of the Borough Clerk).

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ENGINEER'S REPORT

Report dated August 20, 2012 was distributed and filed in the Borough Clerk's office. Engineer Tanner provided an overview of the report.

Pond Drainage

Email sent to Montgomery Township requesting that repairs be done this fall.

Princeton Avenue Grass Mowing

Borough Attorney following up on this issue.

Well Closure

New RFQ to be put out this week.

Sewer Odor

Work to be completed this fall.

Toth Lane Storm Sewer Line

Meeting with South Brunswick Township to discuss camera work.

Bid of Cell Tower Leasing

Awaiting ordinance from Attorney.

Sink Holes on Merritt Lane and Lemoire Circle

Received quotes to excavate.

Resolution 2012-64 Possible Award of Contracts to T. Fiotakis Construction, LLC for the Storm Sewer Repairs on Merritt Lane

Bremner moved to approve the resolution. Pausch seconded the motion. Motion carried on roll call vote.

For: Bremner, McKelvey, Pausch

Against: None

Abstain: None

Tennis Court Repair

Putting out request for quotes.

CHIEF FINANCIAL OFFICER'S REPORT

The CFO reported that the Borough finances are in good shape.

Council Member Bremner asked the CFO to investigate the discrepancy between obligations and receipts from the Rocky Hill Cooperative Nursery School.

DEPARTMENTAL REPORTS

Tax Collector—July 2012

Court Administrator—July 2012

Mayor Zimmerman summarized the Court Administrator's report. Motion was made by Pausch to accept the report as presented. Motion seconded by Bremner. All voted in favor.

APPROVAL OF VOUCHERS

Bill List Dated August 20, 2012 was presented for approval. Bremner moved to approve all vouchers except vouchers 7344. Motion seconded by McKelvey. Motion carried on roll call vote.

For: Bremner, McKelvey, Pausch

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Against: None
Abstain: None

RE-APPOINTMENT OF COMMITTEE ASSIGNMENTS

The Mayor presented the following appointments and asked the Council for their advice and consent:

Chair, Administration and Records

Deputy Chair, Public Safety and Emergency Services

Council Representative to Local Emergency Preparedness Committee, Van Horne Park Development, and Emergency Services Organizations.

Bremner moved to approve the appointments, Pausch seconded the motion, and all voted in favor.

COMMITTEE REPORTS

Administration & Records -The Mayor reported the new computer equipment is in.

Buildings & Grounds -Bremner reported that there is a dead tree in Panicaro Park. Out of five cleaning companies contacted, three came to give bids and two did not want to submit bids. The cleaning company that was supposed to do a one-time cleaning backed out of doing the job. The Engineer is working on getting the dedication plaque installed for free. Bremner said he spoke with phone professionals who recommended against installing the phone system donated to the Borough.

Finance & Insurance – No report.

Public Safety & Emergency Services – Pausch attended OEM meeting. Employees and elected officials should have accountability tags. Council members need to take training classes, which are available online. Traffic control training is available for all citizens, and is required to avoid personal liability. The Fire Prevention Ordinance has been revised to include a fee schedule. The Council reviewed the fees and found them to be appropriate. The Ordinance will be sent to the DCA for approval this week.

Streets & Roads – No report.

Water, Sewer & Environmental Protection – No report.

Council Representative to Planning Board – No August meeting.

Council Liaison to Recreation Committee- No Report.

Council Representative to Board of Health – No August meeting.

Zoning Official's Report – No report.

Grants Committee – Bremner said Dianna Dineen has asked to be on the committee. There is an opportunity to apply for grants for preservation of the historic flag.

SPECIAL BUSINESS

Introduction: Ordinance 2012-04: An Ordinance Granting a Twenty (20) Year Non-Exclusive Franchise to Fiber Technologies Networks, LLC, for the Use of a Limited Portion of the Borough of Rocky Hill's Public Road Rights-of-Way for the Purpose of Telecommunications Transmission Service.

Pausch moved to introduce the Ordinance as presented, and Bremner seconded the motion. Motion carried on roll call vote.

For: Bremner, McKelvey Pausch

Against: None

Abstain: None

Public Hearing to be held September 10, 2012.

Resolution 2012-65 Possible Award of Contract to JML Landscape Inc., For Tree Work within the Borough

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Pausch moved to approve the resolution as corrected. McKelvey seconded the motion. Motion carried on roll call vote.

For: Bremner, McKelvey, Pausch

Against: None

Abstain: None

Resolution 2012-66 Possible Award of Contract to LMI for Lawn Repair at the Borough Hall

Pausch moved to approve the resolution as corrected. Bremner seconded the motion. Motion carried on roll call vote.

For: Bremner, McKelvey, Pausch

Against: None

Abstain: None

UNFINISHED BUSINESS

Discussion of the Reassignment of the Special Services Vehicle

The Borough purchased the Special Services Vehicle in 1999. It was most recently used by the Fire Department but housed at the Rescue Squad building. This arrangement is no longer agreeable to either the Fire Department or the Rescue Squad, and the Fire Department has asked the Borough to get rid of the vehicle. The Borough has decided to retain the vehicle but make it the property of the OEM with both squads having access to it. The Fire Department will maintain the vehicle with funds from the OEM budget. The radios in the vehicle are the property of the Rescue Squad. Captain Amanda Gibbs, 55 Washington St., commented that the vehicle may remain housed at the Rescue Squad building despite that Squads' space shortage.

Borough Hall Sign Update

The discs are at the sign maker. May need to rent a post-hole digger.

NEW BUSINESS

No new business.

COMMUNICATIONS

Communications as listed were distributed, disseminated and filed accordingly.

PUBLIC COMMENT

The floor was opened to the public for comments/questions.

Hearing none, the floor was closed.

EXECUTIVE SESSION- Resolution 2012-67 Resolution to Retire Into Executive Session (9:24 PM)

A. Contract Negotiations: Township of Montgomery Sewer Agreement

B. Contract Negotiations: Rocky Hill Cooperative Nursery School Lease

Pausch moved to retire into executive session. McKelvey seconded the motion. Motion carried on voice vote.

ADJOURNMENT

Motion was made by McKelvey with a second by Pausch to adjourn the meeting at 9:55 PM. Motion carried on voice vote.

Respectfully submitted:

*Christine Witt
Deputy Clerk*

List of Bills - (0110101001) CASH CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
7332	317 - CAMPS HARDWARE INC	PO 3952 Brass snap clips	7.58	7.58
7333	71 - DIFRANCESCO BATEMAN PC	PO 3956 Legal Services June 2012	1,530.00	1,530.00
7334	163 - MONTGOMERY TOWNSHIP	PO 3959 Van Horne Park maintenance July 1,	6,215.28	6,215.28
7335	210 - PSE&G	PO 3951 Street Lights	610.15	610.15
7336	210 - PSE&G	PO 3965 Municipal building electric	402.84	402.84
7337	210 - PSE&G	PO 3966 Panicao Park electric	14.78	14.78
7338	210 - PSE&G	PO 3972 Crescent Point Park electric	5.25	5.25
7339	319 - RARITAN VALLEY DISPOSAL INC	PO 3969 Trash Pick Up	3,808.49	3,808.49
7340	354 - RICOH USA, INC.	PO 3955 Copy machine rental	124.50	124.50
7341	519 - Rizzo Reptile Discovery	PO 3940 CC: Shows at the Library	700.00	700.00
7342	522 - SOMERSET COUNTY BUSINESS PARTNERSHI	PO 3970 Mayor's attendance at Retirement Re	25.00	25.00
7343	247 - SOMERSET COUNTY TREASURER	PO 3949 Health Dept. fees July and August	1,948.34	1,948.34
7344	247 - SOMERSET COUNTY TREASURER	PO 3958 Tree Clearance	612.18	612.18
7345	247 - SOMERSET COUNTY TREASURER	PO 3968 Installation of Pedestrian Crossing	407.48	407.48
7346	251 - SOUTH BOUND BROOK BOROUGH	PO 3957 Police Service and June Court Split	4,599.53	4,599.53
7347	452 - SPRINT-NEXTEL CORP	PO 3953 Mayor and Clerk's cell phones	165.61	165.61
7348	455 - TAMARA LEE PP	PO 3974 Washington Street Scape Project: To	945.00	945.00
7349	286 - VAN CLEEF ENGINEERING	PO 3943 Engineering Services	2,027.40	2,027.40
7350	286 - VAN CLEEF ENGINEERING	PO 3973 Engineering Services July 2012	2,778.35	2,778.35
7351	289 - VERIZON	PO 3945 EMS phone	69.42	69.42
7352	289 - VERIZON	PO 3946 Borough Hall phone	214.89	214.89
1012	State Treasur	July Dog Fees 2.70		
1013	TOTAL	Aug. Dog Fees 1.20		
				27,212.07

Total to be paid from Fund 01 CURRENT FUND

26,512.07

Total to be paid from Fund 02 STATE AND FEDERAL GRANT FUND

700.00

27,212.07

List of Bills - (0810101001) CASH UTILITY OPERATING

Check#	Vendor	Description	Payment	Check Total
6686	415 - AQUA PRO TECH LABS	PO 3948 July water testing; Invoice 1207004	244.80	244.80
6687	71 - DIFRANCESCO BATEMAN PC	PO 3956 Legal Services June 2012	75.00	75.00
6688	321 - MIRACLE CHEMICAL CO	PO 3942 Water Dept. Chemicals	29.00	29.00
6689	321 - MIRACLE CHEMICAL CO	PO 3954 Water Dept. Chemicals Invoice 12200	29.90	29.90
6690	450 - ONE CALL CONCEPTS INC	PO 3950 July One Calls	7.08	7.08
6691	210 - PSE&G	PO 3967 Water Dept. electric	1,357.34	1,357.34
6692	259 - NEW JERSEY STATE TREASURER	PO 3941 Safe Water Annual Operation fee	120.00	120.00
6693	286 - VAN CLEEF ENGINEERING	PO 3943 Engineering Services	2,464.00	2,464.00
6694	286 - VAN CLEEF ENGINEERING	PO 3973 Engineering Services July 2012	1,925.00	1,925.00
6695	289 - VERIZON	PO 3944 Water Dept. Phone	29.61	29.61
	TOTAL			6,281.73

Total to be paid from Fund 08 UTILITY OPERATING

6,281.73

6,281.73

RESOLUTION 2012- 64

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Borough of Rocky Hill desires to enter into a contract for the subsurface road repairs on Merritt Lane and Lemoore Circle; and

WHEREAS, the Borough requested proposals by August 15, 2012 at 4:30 PM;
and

WHEREAS, the Borough received two quotes by the requested deadline as follows:

T. Fiotakis Construction	\$6,500.00
Castoro Construction	\$6,970.00

And

WHEREAS, the quote that was most advantageous to the Borough of Rocky Hill was from T. Fiotakis Construction; and

WHEREAS, there were four alternate items to potentially added to the project; and

WHEREAS, the Borough of Rocky Hill desires to add the following additions:

Repair of pipe / Lift hole	\$300.00
Reparging of adjacent inlet	\$800.00
Removal & Replacement of 20 LF of curb	\$800.00
Removal & Replacement of 20 LF of 4' wide sidewalk	\$800.00

for a total of an additional \$2,700.00 to be added to the base bid; and


WHEREAS, the total value of this service for the year 2012 is less than \$17,500.00 and, therefore, these services are exempt from the Local Unit Pay-to-Play law, N.J.S.A. 19:44A-27.7 et seq.; and

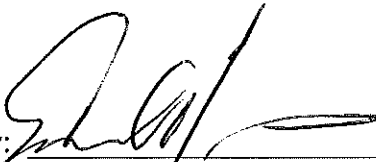
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the Borough Council confirms the award of contracts as follows: to T. Fiotakis for a base bid of \$6,500.00 plus four alternates in the amount of \$2,700.00 for a total amount of \$9,200.00.

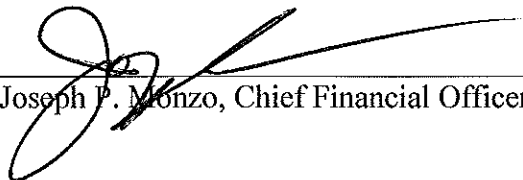
2. This Resolution shall take effect immediately.

ATTEST:

By: 
Rebecca P. Newman,
Borough Clerk

By: 
Edward P. Zimmerman, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby
certify that funds for this contract are available from: 01-201-26-290-115.


Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby
certify the foregoing to be a true and correct copy of a Resolution adopted by the
Borough Council on August 20, 2012.

Rebecca P. Newman
Borough Clerk

RESOLUTION 2012- 65

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Borough of Rocky Hill desires to enter into a contract for the trimming of various trees within the Borough as follows:

AREA 1 - MUNICIPAL BUILDING

1. Prune (6) Flowering Cherry Trees and (1) Oak Tree. Remove dead wood, shape and elevate branches.
2. Cleanup wood piles and branches from dead tree on side field area 3. Remove dead tree on side - in tree line

AREA 2 - PANICARO PARK

Remove broken tree limb

AREA 3 - CRESCENT POINT PARK

Prune, shape and elevate branches on Dogwoods, Spruce, Oak and Maple Trees
; and

WHEREAS, the Borough requested quotes by for these services; and

WHEREAS, the Borough received three quotes by the requested deadline as follows:

JML Landscaping, Inc	\$2,490.00
McCabes	\$4,125.00
Wells Tree and Landscape	\$4,100.00

and

WHEREAS, the most advantageous quote for the Borough of Rocky Hill is that from JML Landscaping, Inc; and

WHEREAS, the total value of this service for the year 2012 is less than \$17,500.00 and, therefore, these services are exempt from the Local Unit Pay-to-Play law, N.J.S.A. 19:44A-27.7 et seq.; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the Borough Council confirms the award of contracts as follows:
-JML Landscaping for an amount not to exceed \$2,490.00

2. This Resolution shall take effect immediately.

ATTEST:

By: 

Rebecca P. Newman,
Borough Clerk

By: 

Edward P. Zimmerman, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby
certify that funds for this contract are available from: 01-201-26-310 -106.

08-2012


Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby
certify the foregoing to be a true and correct copy of a Resolution adopted by the
Borough Council on August 20, 2012.

Rebecca P. Newman
Borough Clerk

RESOLUTION 2012- 66

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Borough of Rocky Hill desires to enter into a contract for the repairs to lawn at Borough Hall; and

WHEREAS, the Borough requested quotes by for these services; and

WHEREAS, the Borough received three quotes by the requested deadline as follows:

LMI Landscaping	\$703.85
Belle Mead Co-op	\$1,071.00
Mulch and Garden Supply	\$768.00

and


WHEREAS, the most advantageous to the Borough of Rocky Hill is that of LMI Landscaping, and

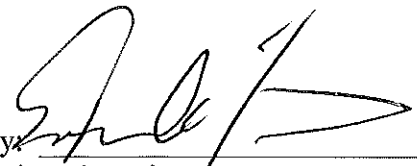
WHEREAS, the total value of this service for the year 2012 is less than \$17,500.00 and, therefore, these services are exempt from the Local Unit Pay-to-Play law, N.J.S.A. 19:44A-27.7 et seq.; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

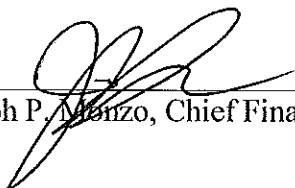
1. That the Borough Council confirms the award of contracts as follows:
-LMI Landscaping \$703.85
2. This Resolution shall take effect immediately.

ATTEST:

By: 
Rebecca P. Newman,
Borough Clerk

By: 
Edward P. Zimmerman, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby
certify that funds for this contract are available from: 01-20126-316-106



Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby
certify the foregoing to be a true and correct copy of a Resolution adopted by the
Borough Council on August 20, 2012.

Rebecca P. Newman
Borough Clerk

EXPLANATION: THIS RESOLUTION ALLOWS THE BOROUGH COUNCIL TO RETIRE INTO EXECUTIVE SESSION.

BOROUGH OF ROCKY HILL

RESOLUTION 2012- 67

WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b) (1-9) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action on the executive Session of August 20, 2012
2. The general nature of the subject matter to be discussed is as follows: -
 - A. Contract Negotiations: Township of Montgomery: Sewer Agreement**
 - B. Contract Negotiations: Township of Montgomery: Rocky Hill Cooperative Nursery School Lease**
3. Minutes of said discussion will be made available as soon as it is deemed in the public interest to do so.
4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

This Resolution takes effect immediately.



Rebecca P. Newman

Borough Clerk

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk, of the Borough of Rocky Hill, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a regular meeting of said Council held on August 20, 2012.

Rebecca P. Newman

Borough Clerk